

REMARKS

The present application is a divisional application of Application No. 09/971,027 filed on October 5, 2001. The Office Action dated January 7, 2004, acknowledges the Applicants' claim for domestic priority under 35 USC §120 based on Application No. 09/971,027.

This amendment under 35 CFR §1.312 amends the paragraph [0001] of specification merely to include specific reference to earlier filed application No. 09/971,027 filed on October 5, 2001, as well as to Japanese Patent Application No. 2000-308498 filed on October 6, 2000, the entire contents of both application hereby being incorporated by reference.

As set forth in MPEP 201.11, V (Rev. 2, May 2004), the Office not require a petition and the surcharge under 37 §CFR 1.17(t) to correct the benefit claim if the information concerning the benefit claim contained elsewhere in the application was recognized by the Office on a filing receipt. In lieu of a filing receipt, the Office issued a non-final Office Action dated January 7, 2004 explicitly acknowledging the Applicants' claim for domestic priority under 35 USC §120 based on Application No. 09/971,027. (See attached)

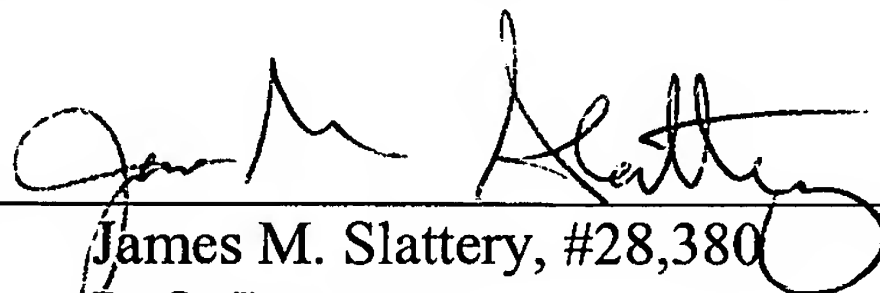
The Applicants respectfully submit that this amendment corrects the benefit claim as required by USPTO rules. Entry of this amendment is earnestly requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
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(703) 205-8000

JMS:CTT/ags/te

Attachments: USPTO File History
Office Action dated January 7, 2004



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,863	08/28/2003	Takashi Ohzeki	0505-1216P	6367

2292 7590 01/07/2004

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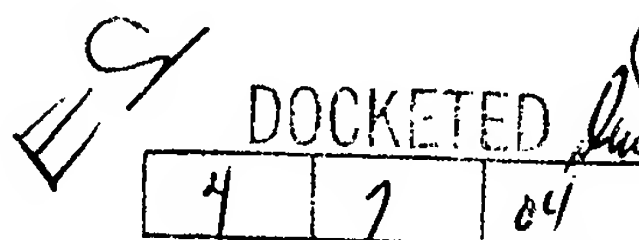
EXAMINER

NOVOSAD, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 01/07/2004 ✓



Amend

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

NOV 15 2004

Application No.

10/649,863

Applicant(s)

OHZEKI ET AL.

Examiner

Christopher J. Novosad

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/971,027.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

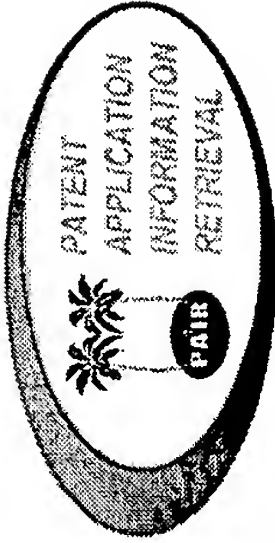
- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 0.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



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Search results as of: 11-8-2004::15:3:38 E.T.

Search results for application number:10/649,863			
Application Number:	10/649,863	Customer Number:	2292
Filing or 371(c) Date:	08-28-2003	Status:	Notice of Allowance Mailed -- Application Received in Office of Publications
Application Type:	Utility	Status Date:	10-27-2004
Examiner Name:	NOVOSAD, CHRISTOPHER J	Location:	ELECTRONIC
Group Art Unit:	3671	Location Date:	-
Confirmation Number:	6367	Earliest Publication No:	US 2004-0050559 A1
Attorney Docket Number:	0505-1216P	Earliest Publication Date:	03-18-2004
Class/ Sub-Class:	171/015	Patent Number:	-
First Named Inventor:	Takashi Ohzeki, Saitama, (JP)	Issue Date of Patent:	-
Title Of Invention:	BEACH CLEANER		

Select Search Option

Continuity Data

Display References

Foreign Priority

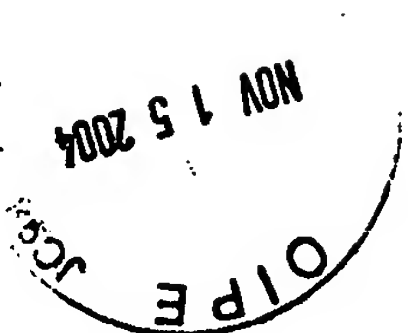
Image File Wrapper

Patent Term Adjustment History

Publication Review

Search

File History



Date	Contents Description
10-27-2004	Receipt into Pubs
10-26-2004	Workflow - File Sent to Contractor
10-08-2004	Mail Notice of Allowance
10-01-2004	Notice of Allowance Data Verification Completed
10-01-2004	Case Docketed to Examiner in GAU
09-27-2004	Issue Revision Completed
09-23-2004	Notice of Allowability
09-21-2004	Date Forwarded to Examiner
09-13-2004	Amendment after Final Rejection
09-13-2004	Request for Extension of Time - Granted
09-13-2004	Workflow incoming amendment IFW
08-19-2004	Mail Advisory Action (PTOL - 303)
08-18-2004	Advisory Action (PTOL-303)
08-14-2004	Date Forwarded to Examiner
08-10-2004	Amendment after Final Rejection
08-10-2004	Workflow incoming amendment IFW
05-11-2004	Mail Final Rejection (PTOL - 326)
05-10-2004	Final Rejection
04-13-2004	IFW TSS Processing by Tech Center Complete
04-13-2004	Date Forwarded to Examiner
04-07-2004	Response after Non-Final Action
04-07-2004	Workflow incoming amendment IFW
01-07-2004	Mail Non-Final Rejection
01-06-2004	Non-Final Rejection
12-29-2003	Case Docketed to Examiner in GAU
08-28-2003	Information Disclosure Statement (IDS) Filed
08-28-2003	Preliminary Amendment
11-25-2003	Application Return from OIPE
11-25-2003	Application Return TO OIPE
11-25-2003	Application Dispatched from OIPE
11-26-2003	Application Is Now Complete
11-12-2003	Cleared by OIPE CSR
09-08-2003	IFW Scan & PACR Auto Security Review
08-28-2003	Initial Exam Team nn

No Official
Filing
Receipt

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